



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Ryuichi Morishita et al.

Application No.: 09/869,475

Filed: October 10, 2001

Confirmation No.: 4309

For: GENE THERAPY FOR DIABETIC
ISCHEMIC DISEASE

Examiner: Brian Whiteman

Art Unit: 1635

Attorney Reference No.: 6235-59221-01

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service as Express Mail Label No. EV514604036US in an envelope addressed to: MAIL STOP RCE, COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450 on the date shown below.

Agent
for Applicant(s)

Date Mailed July 13, 2004

MAIL STOP RCE
 COMMISSIONER FOR PATENTS
 P.O. BOX 1450
 ALEXANDRIA, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION
TRANSMITTAL LETTER

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the application referenced above.

Submission required under 37 C.F.R. § 1.114

- ☒ Enclosed
☒ Amendment/Reply
☒ Information Disclosure Statement (IDS), PTO-1449 Form and copies of references

FILING FEE

For	No. after amendment	No. paid for previously	Present Extra	Rate	Fee
Fee under 37 CFR 1.17(e)					\$770.00
Total Claims	27	- 20*	= 7	\$18.00	\$ 126.00
Indep. Claims	4	- 3**	= 1	\$86.00	\$ 86.00
Mult. Dep. Claims Fee (if not previously paid)				\$290.00	
One-month Extension of Time				\$110.00	
Two-month Extension of Time				\$420.00	
Three-month Extension of Time				\$950.00	\$950.00
TOTAL FILING FEE					\$1,932.00

* greater of twenty or number for which fee has been paid.

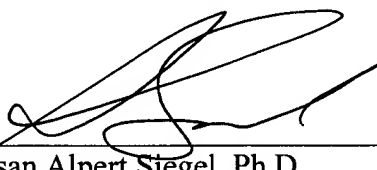
** greater of three or number for which fee has been paid.

- ☒ Applicant petitions for an extension of time for the number of months indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ A check in the amount of \$1,932.00 is attached, including a three-month extension fee.
- ☒ Please charge any additional fees that may be required in connection with filing this RCE and any extension of time, or credit any overpayment, to Deposit Account No. 02-4550. A copy of this sheet is enclosed.
- ☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

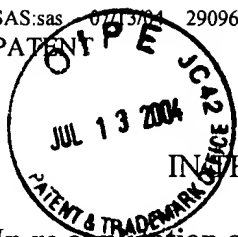
By



Susan Alpert Siegel, Ph.D.
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cc: Docketing



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**AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 C.F.R. § 1.114**

This amendment accompanies a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 and responds to the Office action dated January 13, 2004, for which a three month period for reply was set, making this amendment due on or before May 13, 2004. Applicants petition for a three month extension of time, and submit the required fee herewith, making this Request and this amendment due on or before July 13, 2004. Please amend the referenced application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.

07/16/2004 SSESHE1 00000004 09869475

01 FC:1801	770.00 OP
02 FC:1202	126.00 OP
03 FC:1201	86.00 OP
04 FC:1253	950.00 OP